

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

JAMES PRESLEY,	§	
	§	
Plaintiff,	§	CIVIL ACTION NO. 3:18-cv-1665-M
	§	
v.	§	
	§	
AD ASTRA RECOVERY SERVICES,	§	
INC.	§	
	§	
Defendant.	§	

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**STIPULATION TO DISMISS WITHOUT PREJUDICE**

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The Plaintiff in this action, James Presley (“Plaintiff”), and Defendant Ad Astra Recovery Services, Inc. (“Ad Astra”), through their respective counsel, hereby stipulate that Court may dismiss Ad Astra from the above action without prejudice and without costs, so that Plaintiff may commence arbitration pursuant to the contractual agreement that Plaintiff’s claims against Ad Astra must be arbitrated. In support of the stipulation, the parties state:

1. A complaint alleging violations of the Telephone Consumer Protection Act (“TCPA”) 47 U.S.C. § 227 has been filed against Ad Astra.
2. Ad Astra denies that it violated any law.
3. Ad Astra has presented Plaintiff with an arbitration agreement clause that was within the original contract that Plaintiff signed with Ad Astra. Because of the arbitration agreement, Plaintiff and Ad Astra have agreed to dismiss their claim together so that they can commence arbitration pursuant to a binding arbitration provision.

4. As such, the Plaintiff and Ad Astra request that the Court dismiss this action without prejudice and without costs so that the parties may initiate arbitration proceedings at Plaintiff's discretion.

WHEREFORE, Plaintiff and Ad Astra stipulate that the Court dismiss this action without prejudice.

Dated this 23<sup>rd</sup> day of August, 2018.

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Dated this 23<sup>rd</sup> day of August, 2018.

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